

It is respectfully submitted that there is no requirement set forth in either the MPEP or Rules that requires a discussion why the claims should be broadened. But, as stated above, a discussion why the claims should be broadened in greater detail than the originally filed declaration is presented in the new declaration for the Examiner's convenience.

Applicants have set forth in the attached Declaration where in the specification the news claims are justified. The Examiner requested this information so it is presented for the Examiner's convenience. However, this is also not a requirement of the MPEP or the Rules.

Finally, the Examiner rejected the claims because the applicant's statement did not clearly describe how the error was discovered and who discovered the error. Applicants respectfully submit that this is no longer a requirement. MPEP 1414, II, page 1400-13 of the July 1998 edition states:

"It is not necessary, however, to point out how (or when) the error was discovered. If an applicant chooses to point out these matters, the statements directed to these matters will not be reviewed by the examiner, and the applicant should be so informed in the next Office action."

It is respectfully submitted that the attached Declaration is in compliance with the Rules and the requirements of the MPEP. Hence, the rejection of claims 9-24 should be withdrawn.

Reconsideration is respectfully requested.

Respectfully submitted,


Caroline M. Nash
Reg. No. 36,329

Nash & Titus, LLC
3415 Brookeville Road
Suite 1000
Brookeville, MD 20833
(301) 924-9500 or (301) 924-9600

Atty Docket No. ARMY 103